IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.5978 OF 2005

Mr.Dinesh Agarwal ...Applicant.

Versus

M/s.Harrison Steel Pvt. Ltd., and Anr. ...Respondents.

Ms.Bindhu S. Panicker, Advocate for the Applicant.

Mr.S.S.Tatkare, APP, for the State.

CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : OCTOBER 19, 2006.

P.C.:

1. Heard Ms.Panicker, the learned Advocate for the Applicant and Mr.Tatkare, the learned APP for the State.

2. The applicant had preferred this application for quashing of criminal complaint No.966/S of 2001 which was pending before the learned Metropolitan Magistrate, 9th Court, Bandra, Mumbai.

3. Ms.Panicker, the learned counsel for the applicant states that the said complaint has been dismissed by order dated 16th September, 2006 by

the learned Magistrate on the ground that the complainant was absent. In view of this, she seeks permission to withdraw the present criminal application with liberty to file appropriate proceedings in case the complaint is restored.

4. In view of the above, the applicant is granted permission to withdraw the present criminal application with liberty to file appropriate proceedings in case the compliant is restored.

5. Criminal application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)